

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7265

BILL NUMBER: SB 279

NOTE PREPARED: Jan 5, 2009

BILL AMENDED:

SUBJECT: Remote Alcohol Monitoring Detention.

FIRST AUTHOR: Sen. Miller

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill has the following provisions:

- A. It specifies that a remote alcohol monitoring program is a program in which a person is required to wear at all times a portable device capable of automatic or on-demand testing, recording, and transmission of the person's alcohol consumption level.
- B. It authorizes a court to require a person to participate in a remote alcohol monitoring program as a condition of probation, community corrections, or participation in a reentry court program.

Effective Date: July 1, 2009.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: Remote alcohol monitoring technology measures the concentration of alcohol in a person's body from their perspiration. Offenders placed on a program using this technology wear an ankle bracelet that measures and records any alcohol consumption. The bracelet records drinking events and transmits the information by a modem to the monitoring staff.

Courts can purchase or lease these devices. This technology can help to reduce jail overcrowding and allows offenders to remain in the community, drive a motor vehicle, and maintain employment during the course of their sentence or pretrial release period.

Marion County Community Corrections Agency reports using this technology since 2003. Judges have also

used it as a sanction or condition of pretrial release for those who have been charged with or sentenced for OWI (operating a vehicle while intoxicated) or domestic violence offenses.

A National Criminal Justice Reference Center publication notes that courts and community corrections programs in 37 counties in Indiana were using this program when this article was published.

Explanation of Local Revenues: The costs to the courts and community corrections agencies can be offset by charging the offenders a user fee.

State Agencies Affected:

Local Agencies Affected: Courts, community corrections programs.

Information Sources: “Secure Continuous Remote Alcohol Monitoring (SCRAM) Technology Evaluability Assessment”, no date, National Criminal Justice Reference Center, Brian Barton author <http://www.ncjrs.gov/pdffiles1/nij/secure-continuous-remote-alcohol.pdf>; Marion County Community Corrections – What’s New <http://www.indy.gov/eGov/County/Corrections/New/Pages/home.aspx>, Jan. 4, 2009

Fiscal Analyst: Mark Goodpaster, 317-232-9852.